

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:

UNITED STATES OF AMERICA

- v. -

FELIPE CANTRES-SANJURJO,
a/k/a "Felipe Cantres,"

: CONSENT PRELIMINARY ORDER OF FORFEITURE/ <u>MONEY JUDGMENT</u>
: S31 10 Cr. 905 (LTS)

Defendant. :
- - - - - x

WHEREAS, on or about August 21, 2012, FELIPE CANTRES-SANJURJO, a/k/a "Felipe Cantres," (the "defendant"), among others, was charged in an Indictment, S31 10 Cr. 905 (LTS) (the "Indictment"), with racketeering, in violation of Title 18, United States Code, Section 1961 and 1962(c) (Count One); racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d) (Count Two); narcotics conspiracy, in violation of Title 21, United States Code, Section 846 (Count Three); murder in aid of racketeering activity, in violation of Title 18, United States Code, Section 1959(a)(1) and 2 (Counts Thirteen and Eighteen); conspiracy to commit murder for hire, in violation of Title 18, United States Code, Section 1958 (Counts Fourteen and Nineteen); murder for hire, in violation of Title 18, United States Code, Sections 1958 and 2 (Counts Fifteen and Twenty); murder while engaged in a narcotics trafficking offense, in violation of Title 21, United States Code, Section 848(e)(1)(A) and Title 18, United States Code, Section 2 (Counts Sixteen and Twenty-One); murder

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during and in relation to a drug trafficking crime, in violation of Title 18, United States Code, Sections 924(j) and 2 (Counts Seventeen and Twenty-two); and conspiracy to murder in aid of racketeering activity, in violation of Title 18, United States Code, Sections 1959(a)(5) and 2 (Count Twenty-Three);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Two of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 1963, of any and all property constituting and derived from any proceeds the defendant obtained, directly and indirectly, as a result of the offenses alleged in Counts One and Two of the Indictment;

WHEREAS, the Indictment included a second forfeiture allegation as to Count Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 8253, of all property constituting and derived from any proceeds the defendant obtained, directly or indirectly, as a result of the offense charged in Count Three of the Indictment, and any property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count Three of the Indictment;

WHEREAS, on or about March 7, 2014, the defendant pled guilty to Counts One through Three, Thirteen through Fifteen,

Seventeen through Twenty, Twenty-two and Twenty-three, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Counts One through Three of the Indictment and agreed to forfeit, pursuant to Title 18, United States Code, Section 1963; Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461; a sum of money in United States currency, representing (i) all interest acquired and maintained as a result of the racketeering activity charged in Counts One and Two of the Indictment; all property affording a source of influence over the enterprise involved in Counts One and Two of the Indictment; all property constituting and derived from proceeds obtained, directly and indirectly, from the charged racketeering activity charged in Counts One and Two of the Indictment; and (ii) all property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the offense charged in Count Three of the Indictment; all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense charged in Count Three of the Indictment;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$13,000 in United States currency representing the amount of proceeds traceable to the offenses

charged in Counts One through Three of the Indictment that the defendant personally obtained; and

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the proceeds traceable to the offenses charged in Counts One through Three of the Indictment that the defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorney, Andrew C. Adams of counsel, and the defendant, and his counsel, Jason Foy, Esq., that:

1. As a result of the offenses charged in Counts One through Three of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$13,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Three of the Indictment that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, FELIPE CANTRES-SANJURJO, and shall be deemed part of the sentence of the

defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to United States Customs and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. United States Customs and Border Protection is authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions,

interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

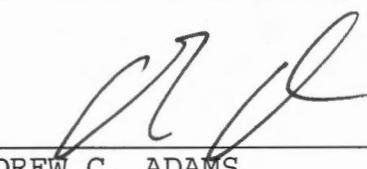
8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By:


ANDREW C. ADAMS

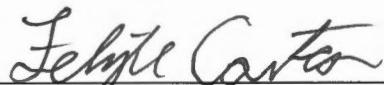
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2340

4/2/19

DATE

FELIPE CANTRES-SANJURJO

By:


FELIPE CANTRES-SANJURJO

4/2/19

DATE

By:

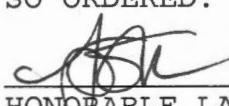

NEIL CHECKMAN, ESQ.

Attorney for Felipe Cantres-Sanjurjo

4/2/19

DATE

SO ORDERED:


HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

4/2/19

DATE